

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FC 2004-011581

08/23/2011

HONORABLE CHRISTOPHER WHITTEN

CLERK OF THE COURT
J. Escarcega
Deputy

IN RE THE MARRIAGE OF
CHAD RANDOLPH FULLER

CHAD RANDOLPH FULLER
600 SHAWN RACHEL PKWY
HENDERSONVILLE NC 28792

AND

CLAUDINE NICOLE FULLER

CLAUDINE NICOLE FULLER
12608 N MOUNTAINSIDE DR # B
FOUNTAIN HILLS AZ 85268

MINUTE ENTRY

The Court has received and considered the Petition to Modify Parenting Time and Child Support filed by Respondent on July 19, 2011.

IT IS ORDERED setting this matter for Evidentiary Hearing on **September 21, 2011 at 4:00 p.m. (time allotted: thirty minutes)** before:

**Judge Christopher Whitten
Maricopa County Superior Court
125 W. Washington
OCH-Courtroom 201
Phoenix, AZ 85003**

Failure of a party to appear may result in the Court allowing the party who does appear to proceed by default. Failure of both parties to appear may result in this action being dismissed.

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Each party will be allowed ½ of the available time to present all direct, cross, redirect examination and any argument. The parties are expected to complete the evidentiary hearing in the allotted time, and the time will not be extended absent a motion granted by the Court and filed at least 30 days prior to the hearing setting forth good cause to extend the time and specifically including a list of each and every witness who will testify and an estimate of time and subject matter of the expected testimony for each witness.

IT IS FURTHER ORDERED that the parties shall file and provide this Division with a copy of a Joint pre-hearing Statement pursuant to Rule 6.8, Local Rules of Practice—Maricopa County (Family Court Cases), **no later than 3 days** prior to the hearing.

IT IS FURTHER ORDERED that the Joint Pre-hearing Statement shall include the following attachments:

1. If child support or spousal maintenance is at issue, a current Affidavit of Financial Information completed by each party.
2. If child support is at issue, a current Parent's Worksheet for Child Support Amount completed by each party pursuant to the Statewide Child Support Guidelines.
3. If there are disputed custody, access or visitation issues, a specific proposal for custody and visitation by each party.
4. If there is a disputed issue regarding the payment of attorneys' fees by either party, an affidavit of the attorneys' fees claimed submitted in accordance with the requirements of Rule 78(D), Arizona Rules of Family Law Procedure. If attorneys' fees are claimed based on the alleged unreasonableness of the opposing party, the affidavit shall include only the amount of fees incurred as a result of the alleged unreasonable actions or positions.

IT IS FURTHER ORDERED that the failure of counsel or any party to appear at the time of hearing, or to timely present the Joint Pre-hearing Statement in proper form, including each and every attachment required, shall, in the absence of good cause shown, result in the imposition of any and all available sanctions pursuant to Rule 76(D), Arizona Rules of Family Law Procedure and Local Rules 6.2(e) and 6.9(k), including proceeding to hear this matter by default based upon the evidence presented by the appearing party, or dismissal of the petition.

IT IS ORDERED that, if either party has exhibits (such as documents, photographs, or other items) that he/she wants the Court to consider as evidence at the hearing, he/she shall make arrangements with the Clerk of this Division (602-372-0754) to deliver the

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exhibits to this Courtroom by September 14, 2011 with a coversheet containing a description of each exhibit. Duplicate exhibits shall not be presented by the parties. However, the parties shall also provide the Court and the adverse party with copies of all exhibits. DO NOT FILE EXHIBITS WITH THE CLERK OF COURT.

NOTE: We do not hold spots for supplemental exhibits.

IT IS FURTHER ORDERED that the parties shall set forth in the Joint Pretrial Statement all specific objections that will be made to any exhibit if offered at the hearing. Reserving all objections to the time of hearing is not permitted. Even if there are no objections to an exhibit, any exhibit that a party wishes the Court to consider must be offered individually at the hearing (an offer of exhibits "in bulk" will not be permitted) and its specific relevance to an issue in the case explained before the exhibit will be admitted.

Counsel and the parties are reminded of their obligation to give prompt notice of any settlement to the Court as required by Rule 70, Arizona Rules of Family Law Procedure. Should the parties reach a full agreement, they may submit a proper consent decree prior to the trial date or they may appear at the time of trial and place the agreements on the record. Alternatively, the Court may vacate the trial without one of those actions occurring upon the request of both parties or their counsel. However, **in the event that the trial is vacated under those circumstances, it will not be reset.** If the trial is vacated and an appropriate consent decree has not been provided to this division within 30 days of the scheduled trial date, the case will be dismissed.

Continuances, postponements and schedule changes will not ordinarily be granted. Any postponement or change will be granted only in accordance with appropriate rules, based on a showing of good cause, and requires the express written approval of the Court.

NOTE: All Court proceedings are recorded by audio method and not by a court reporter. Any party may request the presence of a court reporter by contacting the division three (3) court business days before the scheduled hearing.

All parties representing themselves must keep the Court updated with address changes. A form may be downloaded at: <http://www.superiorcourt.maricopa.gov/SuperiorCourt/Self-ServiceCenter>.